

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Group Art Unit: 3636

GERALD R. KOEFELDA, WILLIAM P. APPS
ROGER S. HSU, CYRIL J. BALFE

Examiner: Jose' V. Chen

Serial No.: Divisional applicaton of USSN 09/376,883
filed August 18, 1999

Filed: herewith

For: NESTABLE PALLET

Attorney Docket No.: RPC 0467 D

PRELIMINARY AMENDMENT

Box Patent Application
Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

Sir:

The application filed herewith is a Divisional of co-pending U.S. Serial No. 09/376,883 ("parent application"). A restriction requirement was issued in the parent application on February 21, 2001.

NOTE: For purposes of publication, the amendments made by this Preliminary Amendment have been incorporated into the Specification filed herewith.

Please amend the original application as follows:

In The Specification

Page 1, line 1: Before "Technical Field" heading, insert the following:

- - CROSS-REFERENCE TO RELATED APPLICATION

This application is a divisional of co-pending U.S. utility application Serial No. 09/376,883 filed August 18, 1999. --

Page 8, line 21	After "pallets", delete "in".
Page 8, line 22	After "long", delete "at" and insert --as-- therefor.
Page 12, line 9	Delete "openings 38' " and insert --apertures 36-- therefor.
Page 12, line 13	Delete "12-19" and insert --12-19b-- therefor.

In The Claims

Please cancel original claims 1-13, without prejudice. Please add new claims 14-33 as provided below:

14. (New) A nestable pallet comprising:

a deck member having an upper surface, and a plurality of integrally formed peripheral foot portions extending downwardly therefrom and disposed about the periphery of the deck member, wherein each of the peripheral foot portions has an outwardly directed recess and a corresponding opening in the upper surface of the deck member, the recess for receiving a corresponding foot portion of a like pallet disposed thereabove when in a nested orientation.

15. (New) The nestable pallet of claim 14, wherein the plurality of peripheral foot portions includes a side peripheral foot portion.

16. (New) The nestable pallet of claim 14, wherein the plurality of peripheral foot portions includes a corner peripheral foot portion.

17. (New) The nestable pallet of claim 14, wherein at least one of the outwardly directed recesses is vertically disposed along a corner of the pallet.

18. (New) The nestable pallet of claim 14, wherein at least one of the outwardly directed recesses is vertically disposed along a side of the pallet.

19. (New) The nestable pallet of claim 14, further comprising at least one non-peripheral foot portion extending downwardly from the deck member.

20. (New) The nestable pallet of claim 19, wherein the deck member has a non-peripheral opening corresponding to the non-peripheral foot portion.

21. (New) The nestable pallet of claim 19, wherein the non-peripheral foot portion as an inner surface and at least one upright member projecting upwardly therefrom.

22. (New) The nestable pallet of claim 19, wherein the non-peripheral foot portion is centrally disposed along the deck member.

23. (New) The nestable pallet of claim 14, wherein the peripheral foot portions include a bottom edge to assist in defining the outwardly directed recess.

24. (New) A nestable pallet comprising:

a deck member having an upper surface and including a plurality of downwardly extending U-shaped support members extending therefrom, the U-shaped support members defining correspondingly shaped pockets for nestably receiving the U-shaped members of a similar pallet disposed thereabove.

25. (New) A nestable pallet comprising:

a top deck having an upper surface and a periphery, and at least one foot member extending from the periphery of the top deck, the at least one foot member having a cutout extending to the upper surface of the top deck, wherein the cutout is arranged to receive a corresponding foot member of another pallet positioned thereabove in a nested orientation.

26. (New) The nestable pallet of claim 25, wherein the at least one foot member is disposed along a side of the top deck.

27. (New) The nestable pallet of claim 25, wherein the at least one foot member is disposed in a corner of the top deck.

28. (New) The nestable pallet of claim 25, wherein the cutout is directed outwardly from the top deck.

29. (New) The nestable pallet of claim 25, wherein the cutout is vertically disposed along a corner of the pallet.

30. (New) The nestable pallet of claim 25, further comprising at least one non-peripheral foot member extending downwardly from the top deck.

31. (New) The nestable pallet of claim 30, wherein the top deck has a non-peripheral opening extending into the non-peripheral foot member.

32. (New) The nestable pallet of claim 30, wherein the non-peripheral foot member has at least one upright member projecting upwardly therefrom.

33. (New) The nestable pallet of claim 30, wherein the non-peripheral foot member is centrally disposed along the top deck.

In The Abstract

Please cancel the original abstract and in its place insert the following:

- - A nestable pallet includes a top deck which has an upper surface and a periphery, and also includes at least one foot member which extends from the periphery of the top deck. The foot member has a cutout which extends to the upper surface of the top deck, and which may be directed outwardly from the top deck. The cutout is arranged to receive a corresponding foot member of another pallet which is positioned thereabove in a nested orientation. The foot member may be disposed along a side of the top deck, or in a corner of the top deck. The pallet may also include at least one non-peripheral foot member extending downwardly from the top deck. - -

Remarks

Pursuant to a restriction requirement in the parent application, original claims 1-13 have been canceled herein, and new claims 14-33 have been added. New claims 14 and 24 correspond, respectively, to original claims 29 and 30 of the parent application which were added by Amendment in a paper mailed by Applicants on December 11, 2000. Original claims 29 and 30 were subject to a restriction requirement dated February 21, 2001. Further, the minor changes made to the specification in the parent application are also being made herein.

Please note that for purposes of publication and ease of examination, the amendments made by this Preliminary Amendment have already been incorporated into the Specification filed herewith.

The Applicants appreciate the Examiner's thorough review of this divisional application and preliminary amendment. Should the Examiner have any questions or any matter that might be resolved by way of Examiner's amendment, he is encouraged to call the undersigned at his convenience.

Respectfully submitted,

GERALD R. KOEFELDA et al.

By



Konstantine J. Diamond, Reg. No. 39,657
4010 East 26th St.
Los Angeles, CA 90023
Phone: 323-262-5145
Fax: 323-269-8506

Date: September 17, 2001